THE HON'BLE Dr. JUSTICE G. YETHIRAJULU

Writ Petition No.1002 of 1993

21st day of September, 2005

Between:

Vippagunta Ranga Rao,

S/o. Venakta Narsaiah, aged about 58 years,

Tenali, Guntur District.

…. **Petitioner**

and

The Government of A.P.,

represented by its Secretary,

Department of Law, Secretariat Buildings,

Hyderabad and 3 others

…. **Respondents**

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ORDER:

The petitioner worked as an Assistant Public Prosecutor Grade-I. He filed this writ petition seeking to declare the action of the respondents in retiring the petitioner from service after completion of 58 years as illegal, arbitrary and discriminatory and sought for a direction to the respondents to continue the petitioner in service till he completes 60 years.

The petitioner is a Government Servant and he is governed by the service rules applicable to all Government Servants.

He seeks to take the aid of a judgment of the Hon'ble Supreme Court in ***All India Judges' Association v. Union of India and others*** regarding the age of superannuation of judicial officers at 60 years.

The Assistant Public Prosecutor cannot be treated as a Judicial Officer. The judgment rendered by the Supreme Court is not applicable to his case. He did not place any other material to show that he is entitled to continue in service till he completes 60 years. His plea that the same analogy applicable to a Judicial Officer has to be applied to him, cannot be accepted. The writ petition is devoid of merit and hence, it is accordingly dismissed.

No order as to costs.

Dr.G. YETHIRAJULU, J

Date: 21st September, 2005

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